



08-29-06

IFW

In the United States Patent and Trademark Office

Application Number: 10/830,194

Filing Date: 22 April 2004

First Name Inventor: Jaime Ramiro Carrillo

Art Unit: 3643

Title: Biograss

Examiner Name: David J. Parsley

Waterloo, South Carolina, Monday 28 August 2006

Attention: Office of Petitions

Mail Stop Petition

Petition to the Director

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Applicant hereby respectfully petitions to withdraw the holding of abandonment of the above-identified application, for the reason my reply on 1 March 2006 was lost after it was received on 2 March 2006 by the United States Patent and Trademark Office; attached are the documents in support thereof:

1. Copy of the receipts of the lost Express Mail dated 1 March 2006.
2. A change of Correspondence Address which also was lost in the same reply.
3. Also annex a copy of the Office Action dated 12/08/2005.
4. Also annex a proper reply in response to the Office Action dated 12/08/2005

Very respectfully,

Applicant: Jaime Ramiro Carrillo
1035 Harris Springs Road
Waterloo, SC 29384-4010
Tel: (864) 304 1325.



GREENWOOD MPO
GREENWOOD, South Carolina
296462722

4518030646-0098

03/01/2006 (864)223-3135 09:15:24 AM

Sales Receipt			
Product	Sale	Unit	Final
Description	Qty	Price	Price

ALEXANDRIA VA 22313 EM \$14.40

PO-Add Flat Rate

11.20 oz.

Label #: EQ378080075US

Next Day Noon / Normal

Delivery

Customer Postage -\$13.65

=====

Issue PVI: \$0.75

\$13.65 1 \$13.65 \$13.65

Capitol/Dusk

PSA

ALEXANDRIA VA 22313 EM \$14.40

PO-Add Flat Rate

11.00 oz.

Label #: EQ378080075US

Next Day Noon / Normal

Delivery

Return Ropt (Green Card) \$1.85

Customer Postage -\$14.40

Subtotal: \$1.85

=====

Issue PVI: \$1.85

Total: \$16.25

Paid by:

Cash \$20.00

Change Due: -\$3.75

Domestic Express Mail provides a money-back guarantee! The original customer copy of the Express Mail label must be presented at the time of refund.

Bill#: 1000201030870

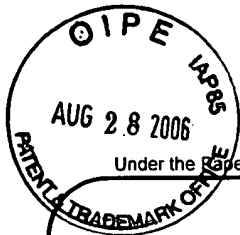
Clerk: 06

— All sales final on stamps and postage. —

Refunds for guaranteed services only.

Thank you for your business.

Customer Copy



PTO/SB/122 (01-06)

Approved for use through 12/31/2008. OMB 0651-0035

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**CHANGE OF
CORRESPONDENCE ADDRESS
Application**Address to:
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	10/830,194
Filing Date	22 April 2004
First Named Inventor	Jaime Ramiro Carrillo
Art Unit	3643
Examiner Name	David J. Parsley
Attorney Docket Number	N/A

Please change the Correspondence Address for the above-identified patent application to:

☐ The address associated with
Customer Number:

OR

☒ Firm or
Individual Name

Address 1035 Harris Springs Road

City Waterloo

State South Carolina

Zip 29384-4010

Country UNITED STATES OF AMERICA

Telephone (864) 304 1325

Email jairamcar@msn.com

This form cannot be used to change the data associated with a Customer Number. To change the data associated with an existing Customer Number use "Request for Customer Number Data Change" (PTO/SB/124).

I am the:

- ☒ Applicant/Inventor
- ☐ Assignee of record of the entire interest.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).
- ☐ Attorney or agent of record. Registration Number _____.
- ☐ Registered practitioner named in the application transmittal letter in an application without an executed oath or declaration. See 37 CFR 1.33(a)(1). Registration Number _____.

Signature

Typed or Printed
Name Jaime Ramiro Carrillo

Date 24 August 2006

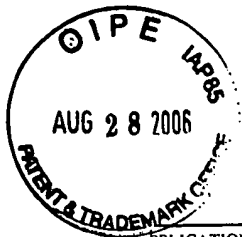
Telephone 864 304 1325

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☒ *Total of 1 forms are submitted.

This collection of information is required by 37 CFR 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/830,194	04/22/2004	Jaime Ramiro Carrillo		7735

7590 12/08/2005
Jaime Carrillo
351-B Sweetgum Dr.
Fort Mill, SC 29715

EXAMINER

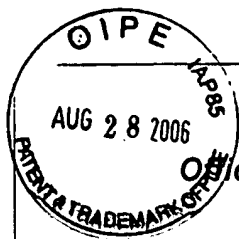
PARSLEY, DAVID J

ART UNIT PAPER NUMBER

3643

DATE MAILED: 12/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



Office Action Summary

Application No.

10/830,194

Applicant(s)

CARRILLO, JAIME RAMIRO

Examiner

David J. Parsley

Art Unit

3643

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) 3-8 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 2 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 April 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

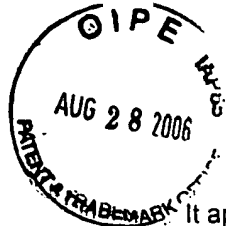
Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____



It appears that the applicant in this application is a *pro se* applicant (an inventor filing the application alone without the benefit of a Patent Attorney or Agent). Applicant may not be aware of the preferred methods of ensuring timely filing of responses to communications from the Office and may wish to consider using the Certificate of Mailing or the Certificate of Transmission procedures outlined below.

CERTIFICATE OF MAILING

To ensure that the Applicant's mailed response is considered timely filed, it is advisable to include a "certificate of mailing" on at least one page (preferably on the first page) of the response. This "certificate" should consist of the following statement:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" on (date).

(Typed or printed name of the person signing this certificate)

(signature)

CERTIFICATE OF TRANSMISSION

Alternatively, if applicant wishes to respond by facsimile rather than by mail, another method to ensure that the Applicant's response is considered timely filed, is to include a "certificate of transmission" on at least one page (preferably on the first page) of the response. This method should be used by foreign applicants without access to the U.S. Postal Service. This "certificate" should consist of the following statement:

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. (703)____-____ on (date).

(Typed or printed name of the person signing this certificate)

(signature)

These "Certificates" may appear anywhere on the page, and may be handwritten or typed. They must be signed, and the date must be the actual date on which it is mailed or transmitted.

For the purpose of calculating extensions of time, the date shown on the certificate will be construed as the date on which the paper was received by the Office, regardless of the date the U.S. Postal Service actually delivers the response, or the fax is "date-stamped" in. In this way, postal or transmission delays do not affect the extension-of-time fee.

In the event that a communication is not received by the Office, applicant's submission of a copy of the previously mailed or transmitted correspondence showing the **originally** signed Certificate of Mailing or Transmission statement thereon, along with a statement from the person signing the statement which attests to the timely mailing or transmitting of the correspondence, would be sufficient evidence to entitle the applicant to the mailing or transmission date of the correspondence as listed on the Certificate of Mailing or Transmission, respectively.

NOTICE TO APPLICANT: In the case of lost or late responses the use of other "receipt producing" forms of mailing a correspondence to the Patent Office, such as Certified Mail, or a private shipper such as FedEx, **WILL NOT** result in the applicant getting the benefit of the mailing date on such receipts. These receipts are not considered to be acceptable evidence since there is nothing to "tie-in" the receipt with the particular document allegedly submitted.

Detailed Action

Information Disclosure Statement

1. The listing of references in the specification is not a proper information disclosure statement. 37 CFR 1.98(b) requires a list of all patents, publications, or other information submitted for consideration by the Office, and MPEP § 609.04(a) states, "the list may not be incorporated into the specification but must be submitted in a separate paper." Therefore, unless the references have been cited by the examiner on form PTO-892, they have not been considered.

Specification

2. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

The abstract of the disclosure is objected to because it contains legal phraseology in particular the term "mean" and it begins with an implied statement. Correction is required. See MPEP § 608.01(b).

Content of Specification

3. (a) Title of the Invention: See 37 CFR 1.72(a) and MPEP § 606. The title of the invention should be placed at the top of the first page of the specification unless the title is provided in an application data sheet. The title of the invention should be brief but technically accurate and descriptive, preferably from two to seven words may not contain more than 500 characters.
- (b) Cross-References to Related Applications: See 37 CFR 1.78 and MPEP § 201.11.
- (c) Statement Regarding Federally Sponsored Research and Development: See MPEP § 310.
- (d) The Names Of The Parties To A Joint Research Agreement: See 37 CFR 1.71(g).
- (e) Incorporation-By-Reference Of Material Submitted On a Compact Disc: The specification is required to include an incorporation-by-reference of electronic documents that are to become part of the permanent United States Patent and Trademark Office records in the file of a patent application. See 37 CFR 1.52(e) and MPEP § 608.05. Computer program listings (37 CFR 1.96(c)), "Sequence Listings" (37 CFR 1.821(c)), and tables having more than 50 pages of text were permitted as electronic documents on compact discs beginning on September 8, 2000.

Or alternatively, Reference to a "Microfiche Appendix": See MPEP § 608.05(a). "Microfiche Appendices" were accepted by the Office until March 1, 2001.
- (f) Background of the Invention: See MPEP § 608.01(c). The specification should set forth the Background of the Invention in two parts:
 - (1) Field of the Invention: A statement of the field of art to which the invention pertains. This statement may include a paraphrasing of the applicable U.S. patent classification definitions of the subject matter of the claimed invention. This item may also be titled "Technical Field."
 - (2) Description of the Related Art including information disclosed under 37 CFR 1.97 and 37 CFR 1.98: A description of the related art known to the applicant and including, if applicable, references to specific related art and problems involved in the prior art which are solved by the applicant's invention. This item may also be titled "Background Art."

Art Unit: 3643

- (g) Brief Summary of the Invention: See MPEP § 608.01(d). A brief summary or general statement of the invention as set forth in 37 CFR 1.73. The summary is separate and distinct from the abstract and is directed toward the invention rather than the disclosure as a whole. The summary may point out the advantages of the invention or how it solves problems previously existent in the prior art (and preferably indicated in the Background of the Invention). In chemical cases it should point out in general terms the utility of the invention. If possible, the nature and gist of the invention or the inventive concept should be set forth. Objects of the invention should be treated briefly and only to the extent that they contribute to an understanding of the invention.
- (h) Brief Description of the Several Views of the Drawing(s): See MPEP § 608.01(f). A reference to and brief description of the drawing(s) as set forth in 37 CFR 1.74.
- (i) Detailed Description of the Invention: See MPEP § 608.01(g). A description of the preferred embodiment(s) of the invention as required in 37 CFR 1.71. The description should be as short and specific as is necessary to describe the invention adequately and accurately. Where elements or groups of elements, compounds, and processes, which are conventional and generally widely known in the field of the invention described and their exact nature or type is not necessary for an understanding and use of the invention by a person skilled in the art, they should not be described in detail. However, where particularly complicated subject matter is involved or where the elements, compounds, or processes may not be commonly or widely known in the field, the specification should refer to another patent or readily available publication which adequately describes the subject matter.
- (j) Claim or Claims: See 37 CFR 1.75 and MPEP § 608.01(m). The claim or claims must commence on separate sheet or electronic page (37 CFR 1.52(b)(3)). Where a claim sets forth a plurality of elements or steps, each element or step of the claim should be separated by a line indentation. There may be plural indentations to further segregate subcombinations or related steps. See 37 CFR 1.75 and MPEP § 608.01(i)-(p).
- (k) Abstract of the Disclosure: See MPEP § 608.01(f). A brief narrative of the disclosure as a whole in a single paragraph of 150 words or less commencing on a separate sheet following the claims. In an international application which has entered the national stage (37 CFR 1.491(b)), the applicant need not submit an abstract commencing on a separate sheet if an abstract was published with the international application under PCT Article 21. The abstract that appears on the cover page of the pamphlet published by the International Bureau (IB) of the World Intellectual Property Organization (WIPO) is the abstract that will be used by the USPTO. See MPEP § 1893.03(e).

- (l) Sequence Listing. See 37 CFR 1.821-1.825 and MPEP §§ 2421-2431. The requirement for a sequence listing applies to all sequences disclosed in a given application, whether the sequences are claimed or not. See MPEP § 2421.02.

The disclosure is objected to because of the following informalities: it does not contain a detailed description of the invention section with reference numerals corresponding to the drawing figures. Further, it does not contain a brief description of the drawing titled “Biograss Flaking Prototype”

Appropriate correction is required.

Drawings

4. The drawings are objected to because the page titled “Biograss Flaking Prototype” does not contain a drawing figure number and the drawing figures contain no reference numerals corresponding to a detailed description of the invention section in the specification. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be

Art Unit: 3643

labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

5. Claims 3-8 are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim should be written in the alternative using the term - or- instead of the term "and". See MPEP § 608.01(n). Accordingly, the claims 3-8 have not been further treated on the merits.

Claim 5 is objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim cannot depend from another improper multiple dependent claim. See MPEP § 608.01(n). Accordingly, the claim 5 has not been further treated on the merits.

Claim Rejections - 35 USC § 112

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 2 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 2 is rendered indefinite in that it is an improper Markush grouping. The claim

Art Unit: 3643

should read - - A composition according to claim 1, made in the forms of the group consisting of rolls, flakes, strips, straws and grains.- -

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-2 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,860,245 to Welch.

Referring to claim 1, Welch discloses a composition made of organic sheeting – at 1 – see for example figures 1-3 and column 2 lines 61-63, organic adhesive – see column 2 lines 53-56 and column 3 lines 3-5, and seeds – at 2, for use in starting and placing in situ a lawn or a vegetative layer, on a soil surface or synthetic surface – see for example figures 1-3 and column 4 lines 15-62 describing the operation of the device.

Referring to claim 2, Welch discloses the composition can be formed into a roll – see for example column 3 lines 63-66.

Conclusion

Art Unit: 3643

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The following patents are cited to further show the state of the art with respect to seedbed devices in general:

U.S. Pat. No. 5,073,401 to Mohr – shows seedbed with adhesive

U.S. Pat. No. 5,097,625 to Kaneko et al. – shows seedbed device

U.S. Pat. No. 5,481,827 to Decker – shows seedbed device

U.S. Pat. No. 5,911,632 to Ko – shows seedbed device

U.S. Pat. No. 5,974,735 to Behrens – shows seedbed device

U.S. Pat. No. 6,088,957 to Kazemzadeh – shows biodegradable seedbed device

U.S. Pat. No. 6,389,745 to Huh – shows seedbed device

DE Pat. No. 4022413 – shows seedbed device

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David J. Parsley whose telephone number is (571) 272-6890. The examiner can normally be reached on Monday-Friday from 8am to 4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Poon can be reached on (571) 272-6891. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3643

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'D. Parsley', with a long, sweeping horizontal stroke extending to the right.

David Parsley
Patent Examiner
Art Unit 3643



Notice of References Cited

Application/Control No. 10/830,194		Applicant(s)/Patent Under Reexamination CARRILLO, JAIME RAMIRO	
Examiner David J. Parsley		Art Unit 3643	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-5,073,401	12-1991	Mohr, Larry D.	426/658
*	B	US-5,097,625	03-1992	Kaneko et al.	47/56
*	C	US-5,481,827	01-1996	Decker, Henry F.	47/58.1R
*	D	US-5,860,245	01-1999	Welch, Robin Lee	47/56
*	E	US-5,911,632	06-1999	Ko, Wen Tsan	47/5.5
*	F	US-5,974,735	11-1999	Behrens, Wolfgang	47/58.1R
*	G	US-6,088,957	07-2000	Kazemzadeh, Massoud	47/58.1R
*	H	US-6,389,745	05-2002	Huh, Kyung	47/56
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N	DE 4022413	01-1992	Germany	Luecke et al.	-----
	O					
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.



CERTIFICATE OF MAILING

"Express Mail" mailing label number EQ 7S2438799 US.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: David J. Parsley "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" on 28 August 2006.

A handwritten signature in black ink, consisting of a series of loops and a final horizontal stroke, positioned above a solid horizontal line.

(Signature)

Jaime Ramiro Carrillo



EA 378080075 US

ORIGIN (POSTAL SERVICE USE ONLY)

ZIP Code	29616	Day of Delivery	<input type="checkbox"/> Next <input type="checkbox"/> 2nd <input type="checkbox"/> 2nd Del. Day	Postage	\$
Date Accepted	3/1/06	Scheduled Date of Delivery		Return Receipt Fee	
Time Accepted	10:00 AM	Month	Day		
		Scheduled Time of Delivery		COD Fee	
				Insurance Fee	
Rate <input type="checkbox"/> or Weight		Military		Total Postage & Fees	\$ 14.40
		2nd Day <input type="checkbox"/> 3rd Day <input type="checkbox"/>		Acceptance Emp. Initials	Cal
lbs. 11 ozs. 2		Int'l Alpha Country Code			

FROM: (PLEASE PRINT)

PHONE (864) 554 3979

Joime R. Corvillo
1035 Morris Springs Road #A
Waterloo, SC 29380 4010

FOR PICKUP OR TRACKING

Visit www.usps.com

Call 1-800-222-1811



Customer Copy
Label 11-B, March 2004

UNITED STATES POSTAL SERVICE®

Post Office To Addressee

DELIVERY (POSTAL USE ONLY)

Delivery Attempt	Time	<input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature
Mo. Day	Time	<input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature
Delivery Date	Time	<input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature
Mo. Day	Time	<input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature

CUSTOMER USE ONLY

PAYMENT BY ACCOUNT
Express Mail Corporate Acct. No.

☐ **WARRANTY OF SIGNATURE (Domestic Mail Only)**
Additional merchandise insurance is void if customer requests waiver of signature.

Federal Agency Acct. No. or
Postal Service Acct. No.

I wish delivery to be made without obtaining signature of addressee or addressee's agent (if delivery employee judges that article can be left in secure location) and I authorize that delivery employee's signature constitutes valid proof of delivery.

☐ **NO DELIVERY**
Weekend Holiday

Mailor Signature

TO: (PLEASE PRINT)

PHONE (571) 277 6890

David J Parsley
COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313 1450

ZIP + 4 (U.S. ADDRESSES ONLY. DO NOT USE FOR FOREIGN POSTAL CODES.)

<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
----------------------	----------------------	----------------------	----------------------	----------------------	----------------------	----------------------	----------------------	----------------------	----------------------

FOR INTERNATIONAL DESTINATIONS, WRITE COUNTRY NAME BELOW.

<input type="text"/>

SENDER: COMPLETE THIS SECTION

- ☐ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- ☐ Print your name and address on the reverse so that we can return the card to you.
- ☐ Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

David J. Parsley
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent

☐ Addressee

B. Received

RECEIVED

D. Is delivery address different from item 1

YES, at the address below:

☐ Yes

☐ No

USPTO MAIL CENTER

3. Service Type

☐ Certified Mail ☐ Express Mail

☐ Registered ☐ Return Receipt for Merchandise

☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

2. Article Number

(Transfer from service label)

10/830.194

EQ 378080075 US

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540





Jaime Ramiro Carrillo – Specifications: Utility Patent Application: Biograss

TITLE OF INVENTION: BIOGRASS

CROSS REFERENCE TO RELATED APPLICATIONS

<u>Patent No.</u>	<u>Inventor</u>	<u>Date</u>
3,292,307	Finn, Charles O.	December 20, 1966
4,219,966	McCallister, William J.	September 2, 1980
4,716,679	Heard, Richard A.	January 5, 1988
5,884,570	Lincoln, James A.	March 23, 1999

STATEMENT REGARDING FEDERAL SPONSORED RESEARCH &
DEVELOPMENT

None

FIELD OF THE INVENTION

This invention relates to a new, practical, useful home lawn, garden improvement and erosion control product capable of starting a lawn or a vegetable growth layer on soil or any synthetic surface where it is applied. The product and method utilize an organic sheeting support, an organic adhesive and seeds.

Jaime Ramiro Carrillo – Specifications: Utility Patent Application: Biograss

The intention of the invention is to provide a simple, economical and practical means of starting in situ a new lawn or vegetable growth on soil or other synthetic surfaces.

BACKGROUND OF THE INVENTION

Research indicates that, at present, most people either hand spread or mechanically spread grass and fertilizer on the soil surface, leaving the seed susceptible to the actions of rain, wind, or wildlife.

Alternatively, the process to cover the seed with hay or straw to form a barrier against the erosion agents requires additional hand labor for installation and final cleaning up, and the rate of seed germination is low.

Previous solution to this problem have included the use of expensive pre-grown lawn turf installation; blowing an aqueous solution of water, fertilizer, compost, and seed onto the targeted growth area (3,292,307, Finn), casting of grass growth concentrate directly onto the land (4,219,966, McCallister); and introduction of sod slurry mixtures in various forms and configurations (4,716,679, Heard) and (5,884,570, Lincoln); together with a host of home methods and remedies developed by individual users over the course of many years. However, each of these methods requires either large and bulky equipment or other apparatus to use, or is cost prohibitive for small users.

Jaime Ramiro Carrillo – Specifications: Utility Patent Application: Biograss

Biograss alleviates these shortcomings by allowing the introduction of a mean directly onto the soil or synthetic surface in a self-contained protective wrap which will biodegrade in a relatively short period, leaving a successful vegetative layer or turf onto the soil applied.

Biograss alleviates the need for costly dispersing equipment and there is no need to clean up any hay, straw, bark, or other mulching mediums which may have been used to protect new growth seeds. To the best of the inventor's knowledge, there is no similar product on the market today which encompasses these features.

BRIEF SUMMARY OF THE INVENTION

Biograss can be summarized as that product and method of promoting grass or other seed growth, which utilizes seeds layered between biodegradable sheets held together with an organic adhesive. Once manufactured, the Biograss can be delivered in rolls, flakes, strips, straws or grains for the application onto the soil or surface where grass or vegetable layer is to be grown. To activate the product, it requires proper watering or irrigation until the grass or vegetable growth has matured.

The organic sheeting is the mechanical means to support the erosion agents, made of biodegradable fibers (paper, coir, grained straws, grained grass leaves, etc), the design will come in convenient size, shape, color, commercial or institutional drawing.

Jaime Ramiro Carrillo – Specifications: Utility Patent Application: Biograss

The organic adhesive will stick the seeds to the organic sheeting. The organic adhesive is made of natural glue (corn syrup, rice syrup, latex, etc.) and its compounds will hold fertilizer (nitrogen, phosphorus, potassium, etc).

The seeds could be from one or several kinds, native or exotic, commonly grass seeds to develop turf.

BRIEF DESCRIPTION OF THE DRAWINGS

FIG.1 shows diagrammatically the general composition of the Biograss. It illustrates the layers of organic sheeting, the organic adhesive to bond the seeds to the mechanical support (organic sheets or fibers) and the seeds.

FIG.2 illustrates the Biograss Flakes, the design will come in convenient size, shape, color, commercial or institutional drawing.

FIG. 3 shows the Biograss Strips, the design will come in convenient size, shape, color, commercial or institutional drawing.

FIG.4 shows the Biograss Straws, the design will come in convenient size, shape, color, commercial or institutional drawing, in this special product, the Biograss could be mix with natural straws in order to support the straws recycling.

FIG.5 illustrates the Biograss Grains, the design will come in convenient size, shape, color, commercial or institutional drawing The Biograss Grains could be made or mix with natural fibers or natural and septic byproducts.

Jaime Ramiro Carrillo – Specifications: Utility Patent Application: Biograss

CLAIMS. I claim:

1. A composition made of organic sheeting, organic adhesive and seeds, for use in starting and placing in situ a lawn or a vegetative layer, onto a soil surface or synthetic surface.
2. A composition according to claim 1 made in the forms of rolls, flakes, strips, straws and grains.
3. A composition according to claims 1 and 2, made of one or a combination of cellulosic material, chopped paper, chopped straws, chopped grass leaves, sawdust, wood chips, bark chips, bagasse, peat moss, leaves chips, soft paper, coir, biodegradable fibers, clean biodegradable recycled fibers, new biodegradable synthetic fibers and wherein the cellulosic material is chopped into long and short fibers.
4. A composite according to claims 1 and 2, made of one or a combination of several natural glue, corn syrup, rice syrup, fertilizer, latex, resins and wherein the result composite be biodegradable.
5. The use of one or a combination of more kinds of seed, placed on one or between two layers according to claim 3 and glued with the composite according to claim 4.

Jaime Ramiro Carrillo – Specifications: Utility Patent Application: Biograss

6. A method of claims 1 and 2 wherein the finished composition consisting of one or two layers according to claim 3, glued according to claim 4, with one or several kinds of seed to start and place in situ a lawn or a vegetative layer, onto a soil surface or synthetic surface, designed to develop vegetative layer or turf for erosion control.
7. A composite according to claims 1 and 2, which its design allows drawing or shaping onto the composite surface commercial or institutional logos to be used in environmental publicity.
8. A composite according to claims 1 and 2, which will go through mechanical and biological process aid by the water action: to keep the necessary moisture to activate the dormant seed and dissolve gradually the composite according to claims 1 and 2, bringing cohesion, supplying nutrients to the plants, softening the composite according to claims 1 and 2 to facilitate the roots penetration and bounding to the soil or synthetic surface, accelerating the biodegradable process of the composite according to claims 1 and 2, and bringing as final result a erosion control vegetative layer, turf or decorative flowered carpet.

Jaime Ramiro Carrillo – Specifications: Utility Patent Application: Biograss

ABSTRACT OF THE DISCLOSURE

A search of existing patents in this area shows that inventors continues to seek improved means and methods of growing or replacing grass or other vegetative layers onto the soil surface. The use of Biograss—in any or all of its basic configurations—addresses specifically and economically solves this problem. Users or consumers may utilize this product to establish an economical, practical and environmental friendly solution to the problem of erosion, and the use on home lawn, golf courses, on landscaping work and generally when a kind of vegetative layer or turf is required to be developed onto a soil or synthetic surface. Business and commercial concerns that engage in landscaping and erosion control can utilize the Biograss as an affordable, effective means to provide quality turf, carpet of flowers, vegetative layer for erosion control first and final phase. The Biograss designs contemplate the use of commercial and institutional logos been drawing onto the Biograss surface for environmental friendly publicity. Biograss is unobtrusive, rain water stand for, wind tolerate, wildlife stand for, clean, dry, lightweight, embellish, affordable and biodegradable. Depending on the particular problem to solve, there is a Biograss configuration designed to supply the best economical solution, made with environmental friendly process and products, offered in adequate quantity, to be applied to the final surface on hand or using a simple spreading mechanic process. Subsequent to the Biograss application onto

Jaime Ramiro Carrillo – Specifications: Utility Patent Application: Biograss

the final surface, watering is required to start the biological process and periodically thereafter to keep the necessary moisture to develop the vegetative layer. The water activates the dormant seed and germination start quickly. The rain water or the regularly hose spraying will dissolve gradually the organic adhesive, bringing cohesion between the Biograss and the surface, supplying nutrients to the plants and helping with the biodegradable process, the water also will soften the organic sheeting allowing the roots to penetrate the Biograss and establish a bond between the roots and the surface which a vegetative layer or a turf is to be grown. In a few weeks the biodegradable components of the Biograss, will incorporate to the soil or synthetic surface, bringing as final result a healthy turf, a decorative flowered carpet or erosion control vegetative layer.



ABSTRACT OF THE DISCLOSURE

An Invention which utilizes one layer or two layers of biodegradable mean which support and hold seed, bonded by organic adhesive. The invention contemplates the forms of flakes, strips, straws and grains. The biodegradable mean is made of new or recycled soft paper, a composite of agricultural byproducts or combinations of them. The seed are mainly grass, but the invention contemplates the use of native seed or a cocktail of seed. The organic adhesive is made of natural glue or syrup (corn, rice, potato) mixed with organic elements (N,P,K) to provide nutrients to the seed and soil system. The invention may be use to establish grass for erosion control, to generate turf on geotextiles in situ or transplanted, turf for golf courses, subdivisions, and, on all natural or synthetic surfaces where a vegetative layer is required.

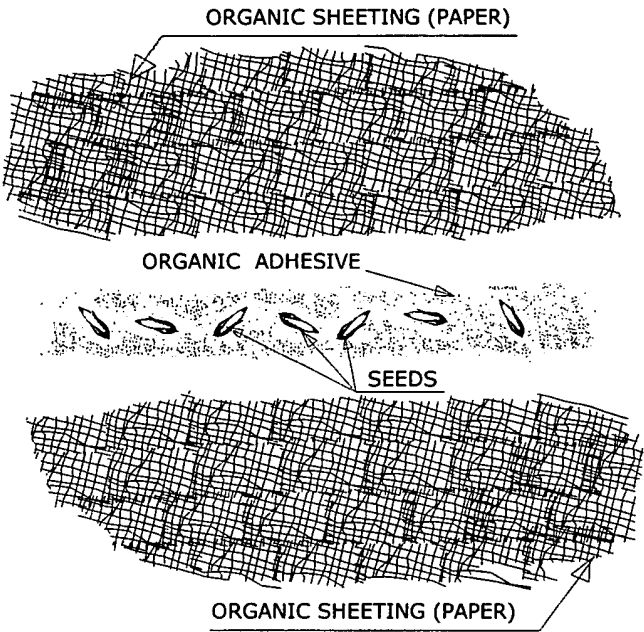


Fig.1 BIOGRASS

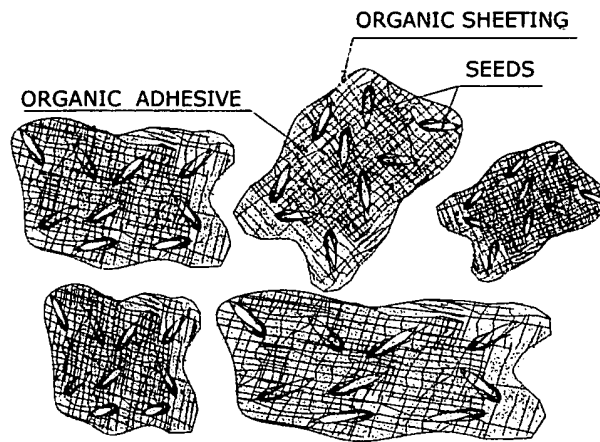


Fig.2 BIOGRASS FLAKES

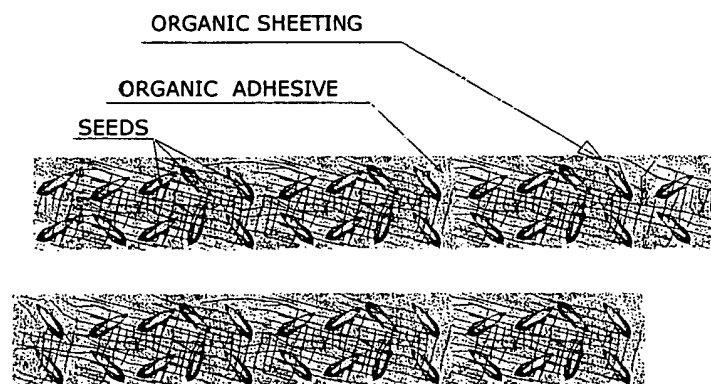


Fig.3 BIOGRASS STRIPS

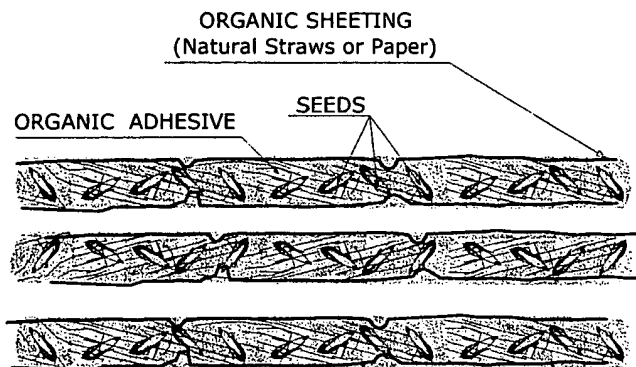


Fig.4 BIOGRASS STRAWS

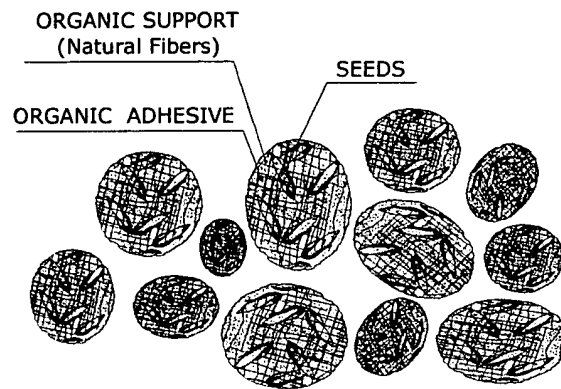
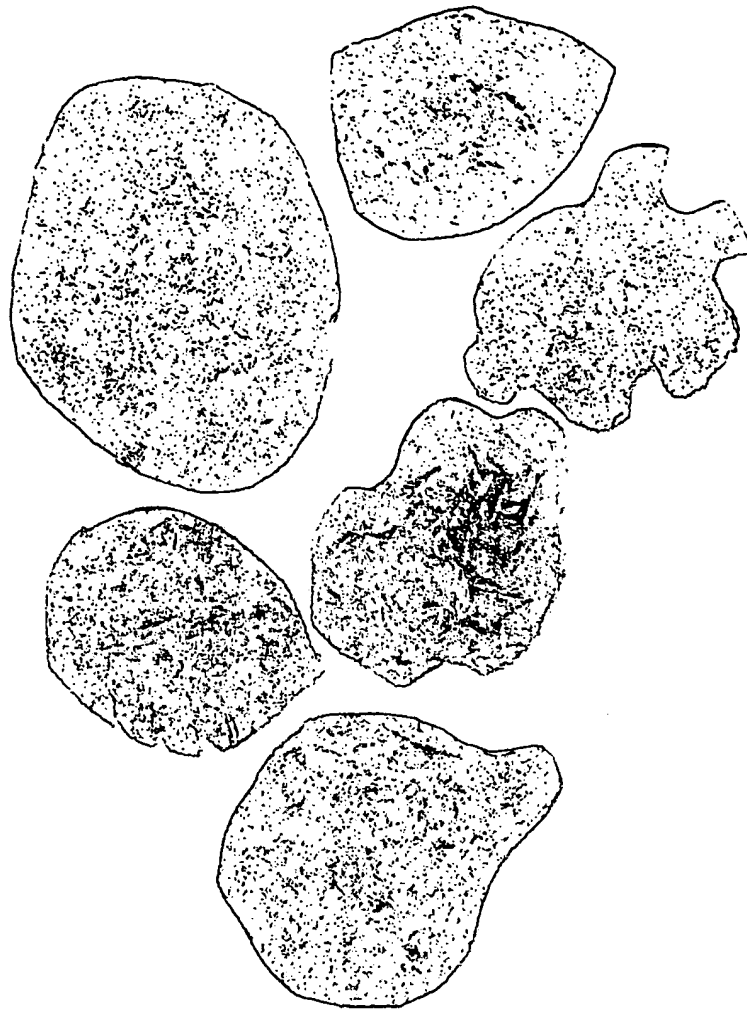


Fig.5 BIOGRASS GRAINS

Jaime Ramiro Carrillo – Prototype: Utility Patent Application: Biograss



BIOGRASS FLAKES PROTOTYPE

In the United States Patent and Trademark Office

Application Number: 10/830,194

Filing Date: 22 April 2004

First Name Inventor: Jaime Ramiro Carrillo

Art Unit: 3643

Title: Biograss

Examiner Name: David J. Parsley

Waterloo, South Carolina, Monday 28 August 2006

Mail Stop Non-Fee Amendments

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed 12/08/2005, please amend the above application as follows:

Title: Replace with following new title-CHIPS FOR GROWING VEGETATION.

Cross Reference to Related Applications :(CANCELED).

Field of the Invention: Replace with following

BACKGROUND OF THE INVENTION--FIELD OF INVENTION

The present invention relates to the fields of ecology, and more specifically to the fields of erosion control, and landscaping. In general, the present invention provides a product and a method for promoting the growth of seed.

Background of the Invention: Replace with following

BACKGROUND OF THE INVENTION--PRIOR ART

Erosion is the process by which the surface of the land is worn away by the action of water, wind, ice, gravity, and the action of living organisms. Natural erosion is relatively slow and is a vital factor in maintaining environmental balance. Accelerated erosion occurs at increased rate usually because of removal of natural vegetation; construction and agriculture practices are the main causes.

A soil is a product of its environment and its erodibility is a result of soil characteristic to infiltration and resistance to detachment and transport by rainfall and runoff. Organic matter such humus and manure improves soil structure, increases water holding capacity and may increase the infiltration rate.

Dense, vigorous vegetation is the most effective shield that protects soil surface from the impact of falling rain, reduces, and disperses runoff flow, promotes infiltration and deposition of sediments.

Besides preventing erosion, healthy vegetative cover provides a stable surface that absorbs rainfall, cuts down on heat reflectance reducing greenhouse effect, control dust pollution, restricts weed growth and complements the landscape

with a pleasant environment which contributes greatly to property value of construction sites.

Seeding consist of planting rapid growing annual grasses, small plant grains or legumes to provide initial temporary cover or permanently cover for erosion control. The disadvantage of seeding is that requires proper seedbed preparation. Another disadvantage of seeding is that the uniform distribution on the soil surface is difficult to achieve, and that the exceeding rates cause over dense population subject to drought and competitive interference.

Sodding is the permanently stabilization of areas by laying a continuous cover of grass sod. One disadvantage of sodding is that the site also requires preparation and that the initial cost of installation is higher than to plant seed. Another disadvantage of sodding is that the soil preparation should be completed before sod is delivered. This is particularly disadvantageous if, for any reason sod is left on-site rolled or stacked, the result of which can be that heat and moist can build up inside, causing severe damage and loss of costly plant material.

Mulching is the application of a protective blanket of straw or other plant residue, gravel, or synthetic material to the soil surface, to protect the soil surface of raindrop impact and overland flow. The choice of materials for mulching should be based on soil conditions, season, type of vegetation, and size of the area to protect. The disadvantage of mulching is that the material expands upon watering breaking the bond provided within the fibrous material and that the portions of the mulch, seed and fertilizer are washed away from the mat area.

Chemical mulches and soil binders are a wide range of synthetic compounds available to stabilize soil surface. These include emulsions or dispersions of vinyl, asphalt or rubber mixed with water. They may be used alone or

may be used to tack organic mulches. The disadvantage of chemical mulches is that the moisture is not retained and that the soil is not insulated. Another disadvantage of chemical mulches is that the environment is always under potential risk of contamination.

Mats promote seedling growth in the same way as organic mulches. They are used in establishing grass in channels and waterways. The disadvantage of mats is that the continuous contact between surfaces is difficult to obtain. This is particularly disadvantageous if, for operational reasons, the contact surface is interrupted, the result of which can be that erosion will occur underneath.

Engineered turf systems are biodegradable mats containing seed and fertilizer. These mats have to be rolled on soil surface and some times need sod staples to secure the mat to the soil, the soil surface must be prepared as it would be for traditional seeding. This includes eradicating and removing existing vegetation including existing grass and raking the soil to loosen the top 3 inches of soil. The disadvantage of engineered turf is that the soil must have a smooth surface free of any obstacle before installing the mats and that the soil surface have to be plow.

Known prior art products and methods of growing vegetation include:

U.S. Patent Documents

4,318,248 Mar., 1982 Muldner.
4,417,828 Nov., 1983 Winter.
4,584,790 Apr., 1986 Gaughen.
5,073,401 Dec., 1991 Mohr.
5,358,356 Oct., 1994 Romanek, et al.
5,235,781 Aug., 1993 Holley.
5,421,123 Jun., 1995 Sakate et al.

5,735,982 Apr., 1998 Prunty et al.
5,860,245 Jan., 1999 Welch.
5,934,011 Aug., 1999 Ishioka, et al.
6,351,911 Mar., 2002 Behrens.
6,925,754 Aug., 2005 Tearoe.
6,951,438 Oct., 2005 Carpenter.

Foreign Patent Documents

DE 4022413 Jan., 1992 Luecke et al.

Other References

State of North Carolina; Erosion and Sediment Control, Planning and Design manual.

The disadvantage of some of the prior art products is that the essential native vegetation have to be completely removed before installing some of the products, and that the soil surface must be prepared as it would be for conventional seeding. Another disadvantage of the prior art products is that the soil surface must be prepared before installing mats. This is particularly disadvantageous if, for operational reasons, the time of installation is extended, the result of which can be that the hand labor cost is increased and that the additional materials are required, leading to high total cost.

While these devices and methods fulfill their respective, particular objectives and requirements, the aforementioned patents do not disclose, nor anticipate, nor suggest, nor render obvious, nor even imply, either alone or in any combination a support and method like the present invention, which belongs in whole to my ownership and comprises a prepared chip for promoting the growth of seed, made in the form of: flakes, strips, straws, and grains.

Brief Summary of the Invention: Replace with following

BRIEF SUMMARY OF THE INVENTION

The present invention relates to a novel, useful, and versatile product and method for promoting the growth of seed. Accordingly, the chips of the present invention are preferably used to assist the establishment of a vegetative layer on grounds and synthetic surfaces, with the purpose of: to prevent and to control erosion processes, to generate lawns and gardens to be used in landscaping.

A principal object of the present invention is to provide chips for promoting the growth of seed. The chips of the present invention play a significant role in inducing a variety of natural processes, particularly biological processes affecting responses in a variety of seed placed therein, which under favorable environmental conditions will generate the establishment of a vegetative layer on grounds and synthetic surfaces.

The present invention contemplates chips for promoting the growth of seed comprising an organic sheeting support, mixed with a variety of seed, which are adhered to the organic sheeting support by an organic adhesive mixed with nutrients. In a preferred embodiment, the chips of the present invention are arranged, shaped, and cut in the form of: flakes, strips, straws, and grains.

An organic material as used herein refers to: a materials having relationship, connection, and origin from living organisms; materials derived from plants; materials which contain carbon compounds, as derived from coal, petroleum, asphalt, limestone, carbonates, and other carbon compounds.

The organic sheeting support as used herein refers to a stratum formed by the physical interaction between layers of organic materials, especially fibers interleaved and selected from the group of: cellulosic material, paper, soft paper, recycled paper, coir, fine-grained straws, fine-grained grass leaves, bagasse, wood chips, bark chips, leaves chips, peat moss, biodegradable fibers, clean biodegradable recycled fibers, new biodegradable synthetic fibers, and others the same kind; and combinations thereof.

The organic adhesive as used herein refers to: an adhesive material formed by the physical union and the chemical reaction of a variety of organic materials, especially ingredients selected from the group of: natural glue, corn syrup, rice syrup, latex, and others especially of the same kind; and combinations thereof.

The natural glue is a biodegradable gelatinous substance, which absorbs water to form a viscous solution, dry by exhaustion of the water present in the solution, exhibit strong adhesive properties by drying, the natural glue in dry state swell as response to water addition, retain water when swelled and dissolve slowly by watering and drying actions.

Some of the physical, chemical and biological properties of the organic adhesive are attributed to the nature and to the disposition of the elements comprising its formulation. In some preferred embodiments, the organic adhesive is arranged to perform at least one of the following actions: to adhere elements conforming the organic sheeting support, to adhere sequences of seed, to adhere sequences of organic sheeting support to sequences of seed; to fill some of the interstices inside the composition, to provide nutrients to aid the growth of the seed placed therein, and in some circumstances to aid the development of next generations of vegetative cover.

Some of the physical properties of the chips are attributed to the nature and to the disposition of the elements comprising the organic sheeting support. The organic sheeting support is arranged in different configurations, in order to provide the physical strength to the chips, in such necessary and sufficient manner, to allow the chips to perform, at least, the following processes: manufacture, packing, storage, transport, installation, rainfall impact absorption, water absorption, water retention, water percolation, water runoff, plant nutrition, reduce evaporation, and incorporation to the ecosystem, particularly by biodegradation.

Some of the biological properties of the micro environment around the seed are influenced by the synergistic interaction of: the intrinsic biological properties of the elements of the organic sheeting support, the intrinsic biological properties of the elements of the organic adhesive, and the intrinsic biological properties of elements added to the chips. In preferred embodiments, the chips assist a wide variety of plant growth responses, including, but not limited to: breaking of seed dormancy, stimulation of seed germination, allowing plant rooting inside and through the composition, stimulation of cell proliferation, stimulation of stem growth inside and through the chips, stimulation of plant proliferation, aid to plant persistency, assist the establishment of the vegetative cover, and aid the biodegradation of the organic sheeting support for its incorporation into the soil ecosystem.

Once the variety of seed are placed and adhered into the organic sheeting support, the environment inside the chips, and specifically, the environment around the seed have to exhibit the minimum favorable conditions, in order to continuously keep the state of dormancy of the seed, until the chips are fully watered, condition which breaks the state of dormancy of the seed, this part of the process is usually performed after the chips are installed on the ground.

It is also an object of the present invention to paint and to print the exterior surfaces of the chips, and to shape the form of the chips for promoting the growth of seed, in such necessary and sufficient manner, to allow the chips, object of the present invention, to be used as a media for publicity, with the purpose to involve commercial and institutional organizations within activities conducing to the preservation and recuperation of the environment.

It is an additional object of the invention to provide a method for promoting the growth of seed on grounds and synthetic surfaces, which comprises the steps of: applying onto a ground or synthetic surface an effective amount of the chips, the application could be made by hand or mechanically assisted by blowers machines; applying an effective amount of water simulating sprinkler or soft rain effect, as soon as the chips are covering the ground; watering the chips at least once daily until seedlings are germinated; keeping the moisture of the chips, which is essential for the seed germination; applying enough water to ensure that the chips remain thoroughly wet during germination and preventing traffic on newly planted areas until the vegetative cover is established. The vegetative cover established by the chips, will perform similarly like any natural vegetative cover.

The general innovative advantage of the invention resides in its form, size, design, composition, purpose, and versatility, which will have a positive and outstanding effect into the recovering, preservation, conservation, and improvement of the environment.

Particular advantages of the present invention are disclosed a continuation: this invention does not require seedbed preparation, because the seed is previously placed therein; another advantage is that the distribution of the chips on the ground could be uniform, or following predefined patterns on the ground, using different kinds of chips to generate different kinds of vegetative cover for engineered

applications, specially, but not limited for erosion control; compared with sodding, this invention is not affected by setting on-site, because a bulk package protects the chips before its application; compared with mulching, the chips in this invention are not washed away by runoff, because the organic sheeting support undertakes the dragging forces and the organic adhesive fix the chips onto the ground; compared with chemical mulches, this invention retains moisture, allows infiltration, and represents no risk of contamination; compared with mats, this invention obtains a continuous contact with the ground surface, specially after watering, and there is no need to roll; compared with engineered turf systems, the advantage of the present invention is its versatility to be applied under a variety of circumstances, and obstacles present on the surface are not a relevant issue for its good performance.

Brief description of the Drawings: Replace with following

BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWINGS

Embodiments of the present invention will be described with respect to the figures, in which like reference numerals denote like elements, and in which:

Fig 1 is a diagrammatic view, shows a fragment of the front of one chip made in one layer.

Fig 2 is a diagrammatic view, shows a fragment of the front of one chip made in two layers.

Fig 3 is a diagrammatic top view, shows the chips manufactured in the forms of flakes.

Fig 4 is a diagrammatic top view, shows the chips manufactured in the forms of strips.

Fig 5 is a diagrammatic three-dimensional view, shows fragments of the chips manufactured in the forms of straws.

Fig 6 is a diagrammatic top view, shows the chips manufactured in the forms of grains.

Fig 7 is a diagrammatic top view, illustrates the use of the exterior surfaces of the chips as a media for publicity.

Fig 8 is a diagrammatic top view, illustrates the use of the exterior shape of the chips as a media for publicity.

Include following new

DETAILED DESCRIPTION OF THE INVENTION

In the description that follows, the terms are commonly used and extensively applied by those skilled in the art of ecology, erosion control and landscaping.

A preferred embodiment of the chips for promoting the growth of seed, of the present invention is diagrammatically illustrated in Fig 1 (fragmentary front view). The chips have one layer of the organic sheeting support 20 interspersed with the seed 22, and bonded together at least partially by the organic adhesive 24. The chips may be easily manufactured and efficiently marketed in the forms of flakes 30, strips 32, straws 34, and grains 36.

Another preferred embodiment of the chips for promoting the growth of seed, of the present invention is diagrammatically illustrated in Fig 2 (fragmentary front view). A layer of the seed 22 enclosed between two layers of the organic sheeting support 20 are bonded together at least partially by the organic adhesive 24. The chips may be easily manufactured and efficiently marketed in the forms of flakes 30, strips 32, straws 34, and grains 36.

Fig 3 is a diagrammatic top view of the chips for promoting the growth of seed, illustrates the chips manufactured in the forms of flakes 30, shows the organic sheeting support 20 and the seed 22 bonded together at least partially by the organic adhesive 24.

Fig 4 is a diagrammatic top view of the chips for promoting the growth of seed, illustrates the chips manufactured in the forms of strips 32, shows the organic sheeting support 20 and the seed 22 bonded together at least partially by the organic adhesive 24.

Fig 5 is a diagrammatic three-dimensional view, illustrates fragments of the chips manufactured in the forms of straws 34, shows the organic sheeting support 20 and the seed 22 bonded together at least partially by the organic adhesive 24.

Fig 6 is a diagrammatic top view, illustrates the chips manufactured in the forms of grains 36, shows the organic sheeting support 20 and the seed 22 bonded together at least partially by the organic adhesive 24.

Fig 7 is a diagrammatic top view, illustrates the use of the exterior surfaces of the chips 40 as a media for publicity, shows different drawings printed on the exterior surfaces of the chips

Fig 8 is a diagrammatic top view, illustrates the use of the exterior shape of the chips 42 as a media for publicity, shows the chips shaped in different forms and printed with drawings.

CERTIFICATE OF MAILING

"Express Mail" mailing label number EQ 752438799 US

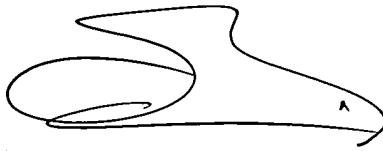
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

David J. Parsley

"Commissioner for Patents,

P.O. Box 1450, Alexandria, VA 22313-1450"

on 28 August 2006.

A handwritten signature in black ink, appearing to read 'David J. Parsley', written over a horizontal line.

(Signature)

CLAIMS: I claim:

1. -8. (CANCELED)

9. (NEW) A prepared chips for promoting the growth of seed comprising an organic sheeting support 20 mixed with a variety of seed 22, and bonded together at least partially by an organic adhesive 24 whereby said chips are made in the forms of flakes 30, strips 32, straws 34, and grains 36.
10. (NEW) The chips according to claim 9 wherein said organic sheeting support 20 is selected from the group of: organic materials, cellulosic material, paper, tissue paper, recycled paper, coir, fine-grained straws, fine-grained grass leaves, bagasse, wood chips, bark chips, leaves chips, peat moss, biodegradable fibers, clean biodegradable recycled fibers, new biodegradable synthetic fibers, and combinations thereof.
11. (NEW) The chips according to claim 9 wherein said organic adhesive 24 is selected from the group of: organic materials, natural glue, corn syrup, rice syrup, latex, and combinations thereof.
12. (NEW) The chips according to claim 9 wherein said exterior surfaces of the chips 40 are painted and printed with drawings and logotypes.
13. (NEW) A prepared chips for promoting the growth of seed comprising a variety of seed 22 enclosed between two layers of organic sheeting support 20 and bonded together at least partially by an organic adhesive 24 whereby said chips are made in the forms of flakes 30, strips 32, straws 34, and grains 36.

14. (NEW) The chips according to claim 13 wherein said organic sheeting support 20 is selected from the group of: organic materials, cellulosic material, paper, soft paper, tissue paper, recycled paper, coir, fine-grained straws, fine-grained grass leaves, bagasse, wood chips, bark chips, leaves chips, peat moss, biodegradable fibers, clean biodegradable recycled fibers, new biodegradable synthetic fibers, and combinations thereof.
15. (NEW) The chips according to claim 13 wherein said organic adhesive 24 is selected from the group of: organic materials, natural glue, corn syrup, rice syrup, latex, and combinations thereof.
16. (NEW) The chips according to claim 13 wherein said exterior surfaces of the chips 40 are painted and printed with drawings, logotypes, and emblems.
17. (NEW) A prepared chips for promoting the growth of seed comprising an organic sheeting support 20 mixed with a variety of seed 22 and bonded together at least partially by an organic adhesive 24 whereby the exterior form of the chips 42 is made resembling forms of advertising designs.
18. (NEW) A prepared chips for promoting the growth of seed comprising a variety of seed 22 enclosed between two layers of organic sheeting support 20 and bonded together at least partially by an organic adhesive 24; whereby the exterior form of the chips 42 is made resembling forms of advertising designs.

19. (NEW) A method of manufacturing chips for promoting the growth of seed comprising the steps of:
- a. providing a first sheeting support on conveyor,
 - b. applying seed on top of said first sheeting support,
 - c. applying a second organic sheeting support covering said seed and said first organic sheeting support,
 - d. spraying on said second organic sheeting support an organic adhesive mixed with nutrients,
 - e. applying soft roller on top compressing gently said chips dispersing said organic adhesive throughout said seed and first organic sheeting support,
 - f. drying said chips,
 - g. painting and printing said chips as necessarily,
 - h. shaping and cutting chips as necessarily.
 - i. packing chips in convenient containers.
20. (NEW) A method of establishing a vegetative layer on grounds, and synthetic surfaces, the method comprising the steps of:
- a. providing prepared chips for promoting the growth of seed,
 - b. applying the chips on the surface following predetermined patterns and watering chips as installation advance,
 - c. watering chips at least once a day,
 - d. waiting for seedling germination,
 - e. waiting for plants establishment,
 - f. providing 1 inch of water per week after said plants establishment occur,
 - g. pruning, mowing, and nurturing said plants establishment as necessarily.

Abstract of the Disclosure: Replace with following

ABSTRACT OF THE DISCLOSURE

A prepared chips for promoting the growth of seed, comprises at least one organic sheeting support (20) mixed with a variety of seed (22), and bonded together at least partially by an organic adhesive (24) mixed with nutrients, whereby said chips are made in the forms of flakes, strips, straws, and grains. The exterior surfaces (40) and the exterior form (42) of the chips may be used as a media for publicity, with the purpose to involve commercial and institutional organizations within activities conducing to the preservation and recuperation of the environment. The chips are used for growing seed with the purpose of: to prevent and to control erosion, to generate native vegetative species, to grow lawns, and to grow decorative plants in landscaping.

Drawings:

Replace Fig.1-Fig.5 and include Fig.6-Fig.8 with attached sheets as follows:

Replace Fig.1 BIOGRASS with -attached Fig.1

Replace Fig.2 BIOGRASS FLAKES with - attached Fig.2

Replace Fig.3 BIOGRASS STRIPS with- attached Fig.3

Replace Fig.4 BIOGRASS STRAWS with - attached Fig.4

Replace Fig.5 BIOGRASS GRAINS with- attached Fig.5

Include attached new Fig.6

Include attached new Fig 7

Include attached new Fig.8

CERTIFICATE OF MAILING

"Express Mail" mailing label number:

EQ752438799US

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

David J. Parsley

"Commissioner for Patents,

P.O. Box 1450, Alexandria, VA 22313-1450"

on 28 August 2006.



(Signature)



Patent Application of Jaime Ramiro Carrillo for "Chips for Growing Vegetation"
Correction Application/Control Number: 10/830,194
Figure 1 of 8

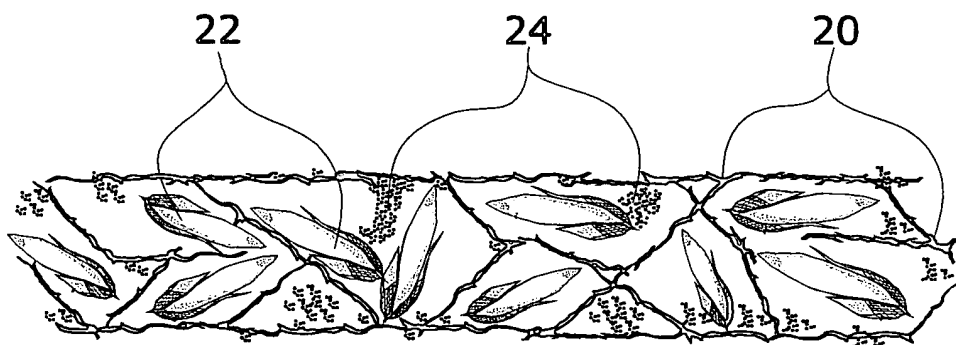


Fig. 1

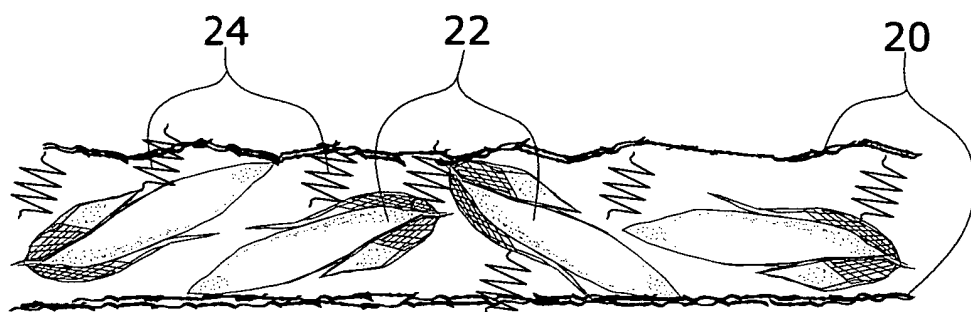


Fig. 2

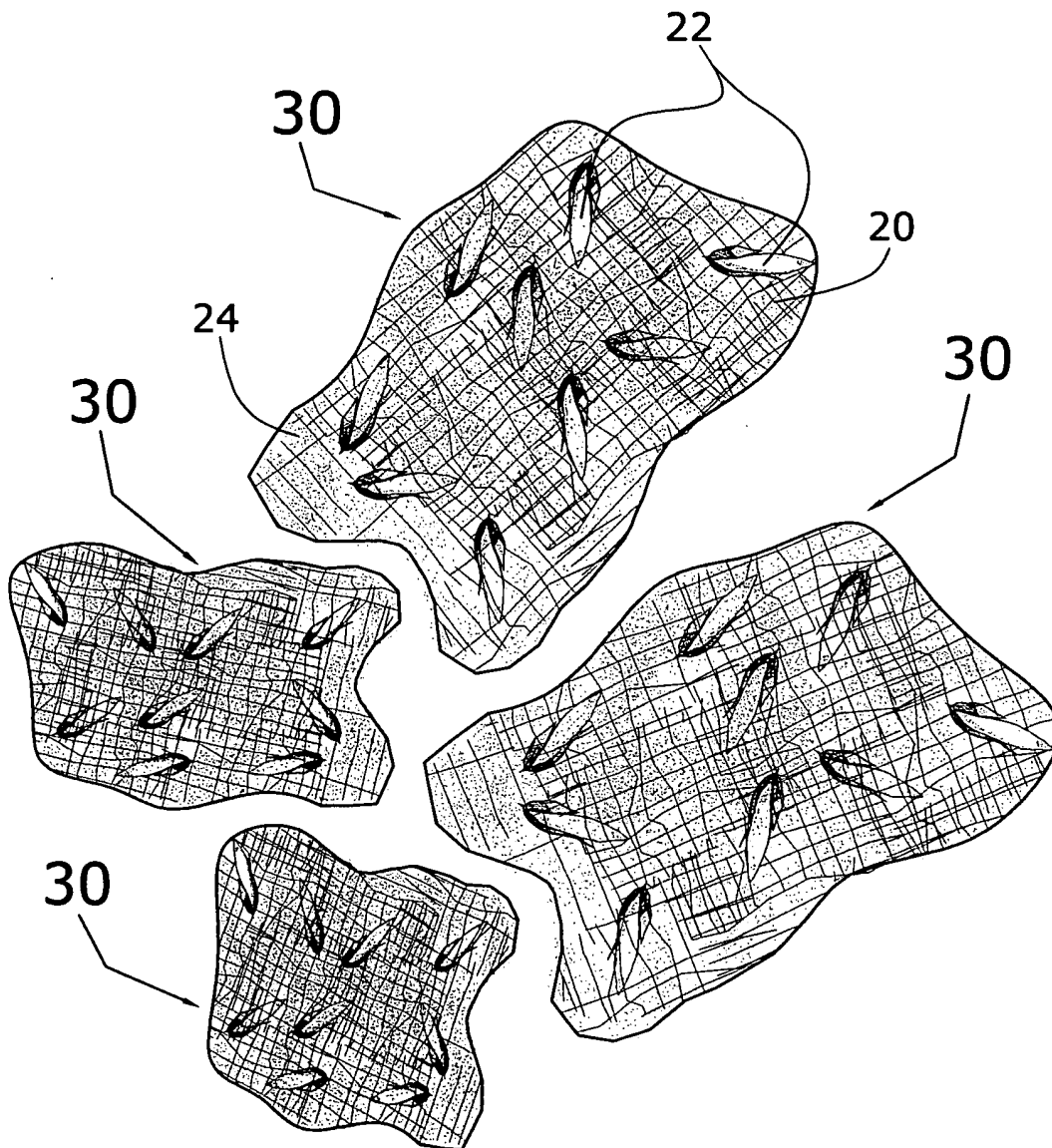


Fig. 3

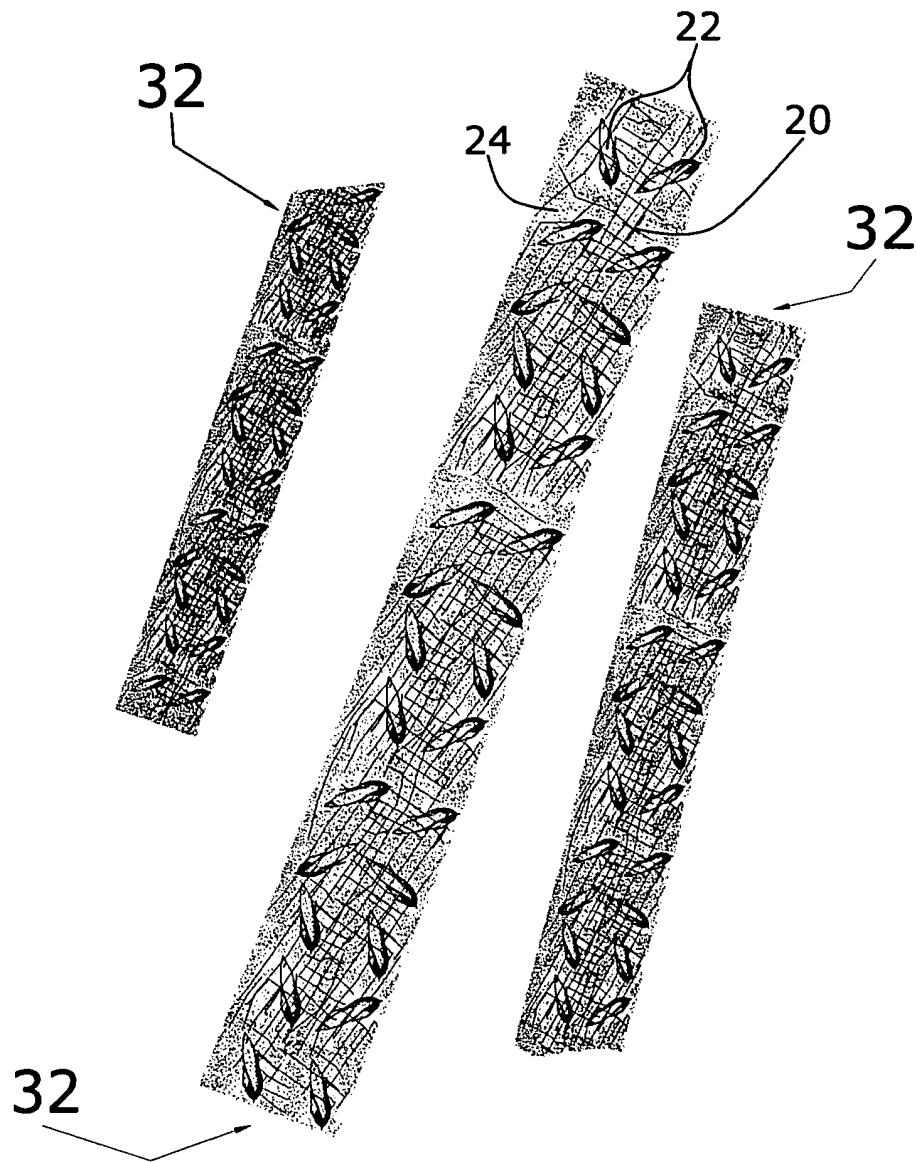


Fig. 4

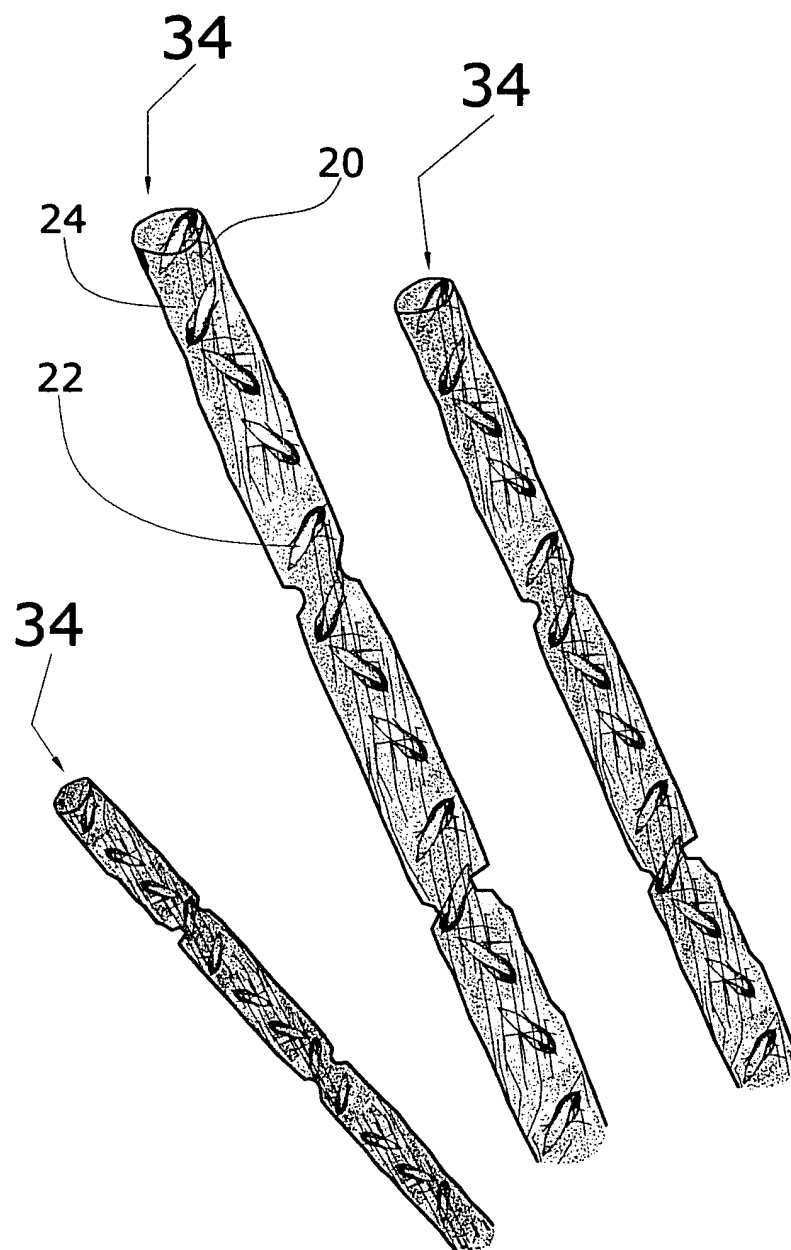


Fig. 5

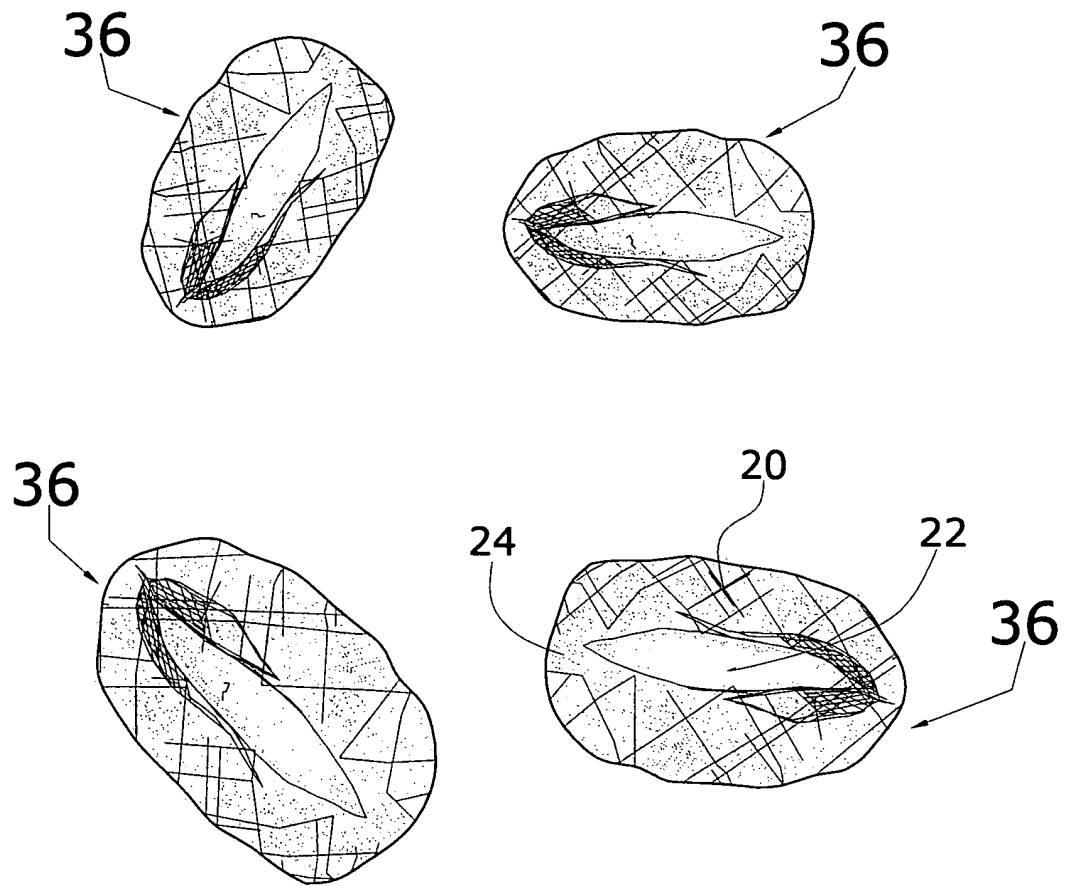


Fig. 6

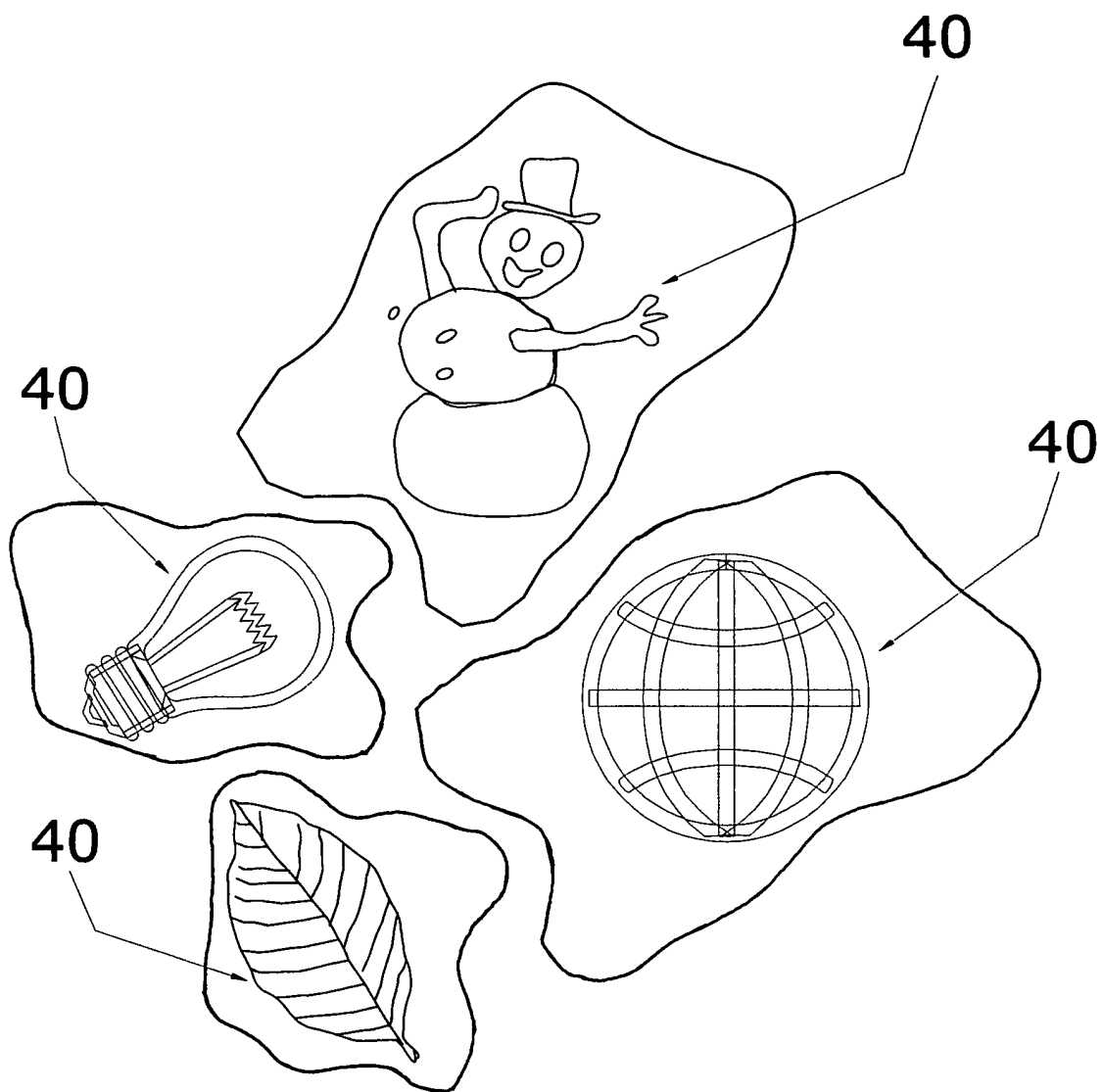


Fig. 7

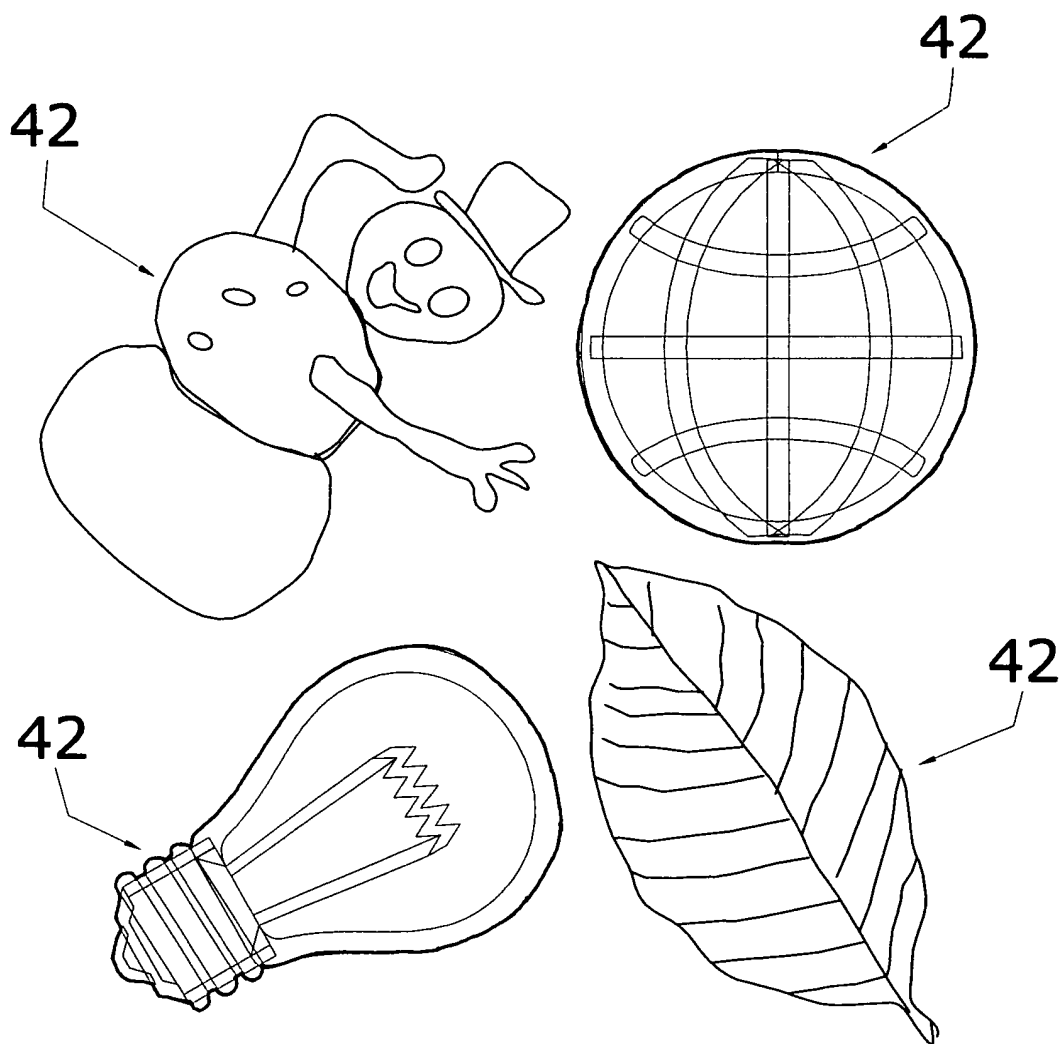
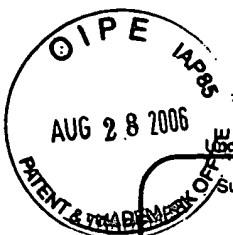


Fig. 8



PTO/SB/08A (07-05)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet

1

of

2

Complete if Known

Application Number	10/830,194
Filing Date	22 April 2004
First Named Inventor	Jaime Ramiro Carrillo
Art Unit	3643
Examiner Name	David J. Parsley
Attorney Docket Number	N/A

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US- 4,318,248	03-09-1982	Muldner, Lawrence C.	Page 1, Title, Mat
		US- 4,417,828	11-29-1983	Winter, Jan G.	Page 1, Title, Mat
		US- 4,584,790	04-29-1986	Gaughen; Thomas P.	Page 1, Title, Mat
		US- 5,073,401	12-17-1991	Mohr; Larry D.	Page 1, Title, Hydroponic G.S.
		US- 5,358,356	10-25-1994	Romanek; Gerald A.	Page 1, Title, Mat
		US- 5,235,781	08-17-1993	Holley; Carl A.	Page 1, Title, Briquettes
		US- 5,421,123	06-06-1995	Sakate; Michihei et al.	Page 1, Title, Mat
		US- 5,735,982	04-07-1998	Prunty; Timothy et al.	Page 1, Title, Erosion Blanket
		US- 5,860,245	01-19-1999	Welch; Robin Lee.	Page 1, Title, Mat
		US- 5,934,011	08-10-1999	Ishioka; Nobuya	Page 1, Title, Mat
		US- 6,351,911	03-05-2002	Behrens; Wolfgang	Page 1, Title, Mat
		US- 6,925,754	08-09-2005	Tearoe; Brian J.	Page 1, Title, Pole with bores
		US- 6,951,438	10-04-2005	Carpenter; Thomas J.	Page 1, Title, Erosion Mat
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
		DE 4022413	01-1992	Luecke et al.		

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.